

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION -FLINT

UNITED STATES OF AMERICA,

Plaintiff,

CASE NO.: 00-CR-50023-1FL

vs.

HON. PAUL V. GADOLA
MAG. JUDGE WALLACE CAPEL, JR.

MICHAEL LAVERN CLARK,

Defendant.

ORDER OF DETENTION
PENDING REVOCATION PROCEEDINGS

The Defendant appeared before the Court on July 12, 2005, based upon a Petition and Warrant for violation of his conditions of supervised release, filed on June 24, 2005.

The Defendant is charged with violation of the Standard Condition Number 7 by testing positive for the use of marijuana on a number of occasions, as well as testing positive for the use of cocaine.

The report of the Probation Officer in this matter indicates that upon the Defendant's release from imprisonment, he was to participate in a substance abuse treatment program. The Defendant began his treatment on April 11, 2005. Shortly thereafter, he began to engage in the use of marijuana. A number of urine specimens provided by the Defendant in April and May tested positive for the use of marijuana. The Defendant's drug usage was addressed in the course of his treatment. However, further testing by the Probation Officer revealed that the Defendant has

continued to engage in the use of illegal substances. Based upon the information presented at the

hearing, it appears that the Defendant has continued to use illegal substances and that he lacks the desire to control his drug habit and to make use of the treatment program afforded to him.

Accordingly, the Defendant shall be detained without bond in this matter pending further proceedings before the district court judge.

The Defendant is hereby remanded to the custody of the United States Marshal.

IT IS SO ORDERED.

DATED: July 13, 2005

**s/ Wallace Capel, Jr. _____
WALLACE CAPEL, JR.
United States Magistrate Judge**

CERTIFICATE OF SERVICE

I hereby certify that on July 13 2005, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system which will send such notification of such filing to the following: James C. Mitchell, AUSA , Kenneth R. Sasse, Esq., Federal Defender Office , and I hereby certify that I have mailed by United States Postal Service/hand delivered the paper to the following non-ECF participants: United States Marshal, 600 Church St., Flint, Michigan 48502, Probation Officer, 600 Church St., Flint, Michigan 48502

s/ James P. Peltier
James P. Peltier
Courtroom Deputy Clerk
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